

REMARKS

Claims 1-3, 10 and 12-18 are pending in this application. By this amendment, claims 1 and 10 are amended, and claim 11 is canceled. Reconsideration of the present application based on the above amendments and the following remarks is respectfully requested.

The Office Action restricts the claims to Group I, claims 1-3, 10 and 11-18; and Group II, claim 11. In paragraph 7, the Office Action withdraws claim 10 from consideration. It is respectfully submitted that Group I was intended to include claims 1-3, 10 and 12-18; and Group II was intended to include claim 11. Thus, it is believed that claim 11 is withdrawn from consideration. In response to the Restriction Requirement, Applicants elect Group I, claims 1-3, 10 and 12-18. As discussed above, claim 11 is canceled.

The Office Action rejects claims 1-3, 10 and 12-18 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,769,073 to Tastu et al. in view of U.S. Patent No. 6,171,572 to Aozasa. This rejection is respectfully traversed.

The applied combination of references does not disclose a sol having a pH of 1 to 6 or 8 to 13, as claimed in claims 1 and 10. Support for these features may be found in the specification at, e.g., Fig. 3 and paragraphs nos. [0049], [0050] and [0089].

A sol having a pH of 1 to 6 or 8 to 13, along with other features of claims 1 and/or 10, provides advantages not disclosed in the applied art. For example, Fig. 3 illustrates zeta potential measured for 4 sols in which particles in La/(Ce + La) molar ratio of 0, 0.01, 0.05 or 0.10 are dispersed in water. As shown in Fig. 3, the particles having a molar ratio of 0.01 (also those of 0.05 and 0.10) have a greater change in their surface potential, larger absolute values, and higher dispersion stability than those particles having a molar ratio of 0. These sols have a pH near 3 to 5 and/or 8 to 9. On the other hand, for example, where only cerium oxide (molar ratio of 0) is used, the sol has a zeta potential of approximately zero near pH of

5. As such, this sol is liable to be aggregated. Moreover, this sol does not significantly change in absolute values even when pH is altered (paragraph [0089], and Fig. 3).

It could not be expected from the applied art that the sol in which particles having La/(Ce + La) molar ratio of 0.005 to 0.15 are dispersed can be stably dispersed in a specific pH range and provide excellent results in polishing tests compared with the sol having only cerium oxide (molar ratio of 0).

Accordingly, it respectfully submitted that the applied art fails to anticipate or render obvious the features of claims 1 or 10. Furthermore, those claims that depend from claims 1 or 10 are likewise distinguishable over the applied art for at least the reasons discussed above, as well as for additional features they recite. Accordingly, withdrawal of the rejections under 35 U.S.C. §103(a) is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


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